

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: 2:22-cv-7871-AB-SK

Date: March 13, 2023

Title: *Melanie Delapaz v. S C Equities LLC et al.*

Present: The Honorable **ANDRÉ BIROTTE JR., United States District Judge**

Carla Badirian

N/A

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Appearing

None Appearing

Proceedings: [In Chambers] ORDER FOR SANCTIONS

On October 28, 2022, Plaintiff Melanie Delapaz (“Plaintiff”) filed a Complaint against Defendant S C Equities, LLC (“Defendant”) under the American Disabilities Act. Plaintiff served Defendant on February 2, 2023. (Dkt. No. 12.) Defendant’s answer was due by February 23, 2023. (*Id.*) No answer has been filed, and Plaintiff has not moved for entry of default.

Under the Court’s Order re: Prosecution of Certain Cases Under the Americans with Disabilities Act, “For any defendant who fails to respond to the complaint within the time provided by the Federal Rules of Civil Procedure and for whom no extension has been granted, a request for default must be filed no later than seven days after the time the response to the complaint would have been due.” (Dkt. No. 10.) It further states that “[t]he first failure to comply with this Order in a particular case will result in a sanction of \$300.” (*Id.*)

Because more than seven days has elapsed since Defendant’s response was due, the Court hereby **ORDERS** Plaintiff’s counsel to pay to the order of the Clerk’s Office \$300 in sanctions. Plaintiff is further **ORDERED** to file any requests for

default within seven (7) days. Failure to do so will result in dismissal for failure to prosecute.

IT IS SO ORDERED.

CC: Fiscal